

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

11 TERRY LYDELL KIRKPATRICK, SR.,) Case No. 09cv2020-JM (BLM)
12)
12 Plaintiff,) **ORDER TAKING MOTION UNDER**
v.) **SUBMISSION**
13)
13 GUILLERMO GIRON,) [Doc. No. 6]
14)
14 Defendant.)
15 _____)

16 On December 14, 2009, Defendant filed a motion to dismiss
17 Plaintiff's Complaint. Doc. No. 6. Plaintiff has not yet responded as
18 provided for by Civil Local Rule 7.1(e)(2).

19 Upon completion of the briefing, the Court will take the matter
20 under submission pursuant to Civil Local Rule 7.1(d)(1) and no personal
21 appearances on the February 9, 2010 hearing date should be made.

22 **IT IS SO ORDERED.**

23 DATED: December 14, 2009

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25 BARBARA L. MAJOR
26 United States Magistrate Judge
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